

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA**

IN RE: AQUEOUS FILM-FORMING FOAMS PRODUCTS)	Master Docket No.:
LIABILITY LITIGATION)	2:18-mn-2873-RMG

CITY OF CAMDEN, et al.,)	Civil Action No.:
)	2:23-cv-03147-RMG
<i>Plaintiffs,</i>)	
)	
-vs-)	
)	
3M Company,)	
)	
<i>Defendant.</i>)	

**ORDER REGARDING PLAINTIFFS’ UNOPPOSED MOTION
FOR ESTABLISHMENT OF QUALIFIED SETTLEMENT FUND AND APPOINTMENT
OF A QSF ADMINISTRATOR AND AN ESCROW AGENT**

The Court hereby GRANTS Plaintiffs’ Unopposed Motion for Establishment of Qualified Settlement Fund and Appointment of a QSF Administrator and an Escrow Agent (Dkt. No. 3704) and appoints Special Master Matthew L. Garretson as QSF Administrator, including for purposes of Treasury Regulations section 1.468B-2(k)(3), and Christopher Ritchie of The Huntington National Bank as Escrow Agent of the PWS-2 PFAS Water Provider Settlement QSF, pursuant to the Custodian/Escrow Agreement. The Court further ORDERS:

1. The PWS-2 PFAS Water Provider Settlement QSF (the “QSF” or the “Fund”) is hereby established as a qualified settlement fund within the meaning of Treasury Regulation 1.468B-1;

2. Special Master Matthew L. Garretson as Administrator of the Fund is given the authority to conduct any and all activities necessary to administer the Fund as described in the Custodian/Escrow Agreement and Settlement Agreement;

3. Settlement Funds paid into the Fund will resolve, satisfy, and completely extinguish claims asserting liability based on a tort, breach of contract, or violation of law arising out of PFAS contamination in certain Public Water Systems' drinking water;

4. The Settlement Funds paid into the Fund will, at all times, be segregated from other assets of the transferor (3M) and persons related to the transferor within the meaning of section 468B of the Internal Revenue Code and the Treasury Regulations thereunder, section 1.468B *et seq.*;

5. Distributions shall be made from the Fund only as permitted by the terms of the Custodian/Escrow Agreement and consistent with the terms of the parties' Settlement Agreement;

6. The Administrator shall conduct the affairs of the Fund in accordance with any orders of the Court, section 468B of the Internal Revenue Code, the Treasury Regulations promulgated thereunder, and such administrative announcements, notices, and information releases as shall be published by the Internal Revenue Service from time to time.

7. Upon final distribution of all Settlement Funds received into the QSF and allocated to Plaintiffs, the Administrator shall take appropriate steps to wind down the QSF and thereafter be discharged from any further responsibility with respect to the QSF. The Administrator may, but shall not be obligated to, seek a final order of discharge from this Court.

8. The Settlement Funds paid into the Fund shall be invested as set forth in the Custodian/Escrow Agreement.

AND IT IS SO ORDERED

s/Richard Mark Gergel
Richard Mark Gergel
United States District Judge

November 2, 2023
Charleston, South Carolina